IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mel Gunewardena	: **Group Art Unit:** 3624
Serial No.: 09/845,415	: **Examiner:** Thu Thao Havan
Filed: April 30, 2001	: Attorney Docket No.: 06878.110700
For: A METHOD, SOFTWARE PROGRAM, AND SYSTEM FOR RANKING RELATIVE RISK OF A PLURALITY OF TRANSACTIONS	: :

REQUEST FOR CREDIT FOR DUPLICATE CHARGE FOR CLAIMS

Mail Stop Box 16
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Randi Flamenbaum, a paralegal with the firm of Greenberg Traurig. On August 15, 2006 filed a response to an April 20,2006 office action.

Attached please find a copy of a recent deposit account statement from the deposit account of Greenberg Traurig Account number 501561. This statement shows that on August 16, 2006 duplicate fees in the amount of $1200.00 for payment of excess independent claims fees were taken out of our deposit account as it relates to U.S. Application 09/845,415 and the response that was filed on August 15, 2006.

The amendment to the office action was filed electronically. A copy of this response is also submitted for your reference. In our Electronic Mail certificate we noted that we authorize to charge deposit account 501561 the amount of $1200.00. In filing the response electronically a fee transmittal comes up when you have fees that are due for a response. This automatic fee transmittal calculated both the $1200.00 for excess independent claims and the $120 for extension of time.

We are new to filing responses electronically and didn't realize that the

people processing the electronic responses would submit charges based not only on the certificate of electronic mail but also for the automatic fee transmittal that comes up when you submit your response.

We no longer mention fees in transmittal electronic mail certificates to avoid duplicate funds being taken from our deposit account 501561.

We respectfully request that you credit deposit account 501561 for $1200.00 charge.

Respectfully submitted,
GREENBERG TRAURIG, LLP.

By: _____

Barry J. Schindler

Dated: October 25, 2006

CORRESPONDENCE:

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Disbursement Card

Disb ID 26001226
Client 06878
Matter 110700
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Auth Empl
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Dept 1600
PCenter GT
Base Amt $1,320.00 Qty 0.00
Tobill Amt $1,320.00
Bill Amt $1,320.00 Bl Qty 0.00
Std Amt $1,320.00 Curr Code USD

Goldman, Sachs and Company
A Method, Software, Program, and System
Cooper, Gloria

Flamenbaum, Randi S.
Flamenbaum, Randi S.
New York
New York
Intellectual Property
Greenberg Traurig - General

Disb Type
● Hard
◯ Soft

Status P
Session 70426
Source Tran Type CDN
Disb Type Code PTOELE
Reference
Date Aug 15 2006
Hold Date
Posted Aug 18 2006
Bill Date Sep 01 2006
Latest Period 200608
Prebill Num 2966549
Bill Num 0

Narrative
USPTO FEES: One Month Extension of Time and Excess Independent claims.
Serial No. 09/845,415.

Date		Ref	Account	Code	Amount	Balance	
08/14	14	11255524	85804-016007	1051	-$130.00	$19,109.00	—☐mbo
08/14	15	2400465	C1102-002-C8669	7208	$200.00	$18,909.00	
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08/14	305	0172570735		8014	$25.00	$18,559.00	
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08/14	381	10597930	89918.021302	2614	$100.00	$18,309.00	
08/14	382	10597930	89918.021302	2617	$65.00	$18,244.00	
08/14	456	29252572	55413.010000D01	1502	$800.00	$17,444.00	
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08/14	1903	78951295	19056.010500	7001	$325.00	$14,594.00	
08/15	49	78951447	19056.010500	7001	$325.00	$14,269.00	
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08/15	93	1455862	47055-011400	8521	$40.00	$39,229.00	
08/15	94	1455862	47055-011400	8522	$100.00	$39,129.00	
08/15	109	1455862	47055-011400	8521	$40.00	$39,089.00	
08/15	110	1455862	47055-011400	8522	$100.00	$38,989.00	
08/15	134	1455862	47055-011400	8521	$40.00	$38,949.00	
08/15	135	1455862	47055-011400	8522	$100.00	$38,849.00	
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08/15	151	1455862	47055-011400	8522	$100.00	$38,709.00	
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08/15	155	1455862	47055-011400	8522	$100.00	$38,569.00	
08/15	314	29248320	ALCOA 06-1692	8021	$40.00	$38,529.00	
08/15	506	11042367	19870.060800	2252	$225.00	$38,304.00	
08/15	1360	78952006	28470.010100	7001	$325.00	$37,979.00	
08/15	1371	2377054	21995.010200	7205	$100.00	$37,879.00	
08/15	1372	2377054	21995.010200	7208	$200.00	$37,679.00	
08/15	1458	78429291	21995.010200	7004	$150.00	$37,529.00	
08/15	1513	78428910	21995.010200	7004	$150.00	$37,379.00	
08/15	1525	78429326	21995.010200	7004	$150.00	$37,229.00	
08/15	1565	78430889	21995.010200	7004	$150.00	$37,079.00	
08/15	1596	78430524	21995.010200	7004	$150.00	$36,929.00	
08/15	1976	09823353	7056.026	1251	$120.00	$36,809.00	
08/16	1	09845415 *ORiGiN*	7056.001	1201	$1,200.00	$35,609.00	ORiginl
08/16	3	11319832	44342.016201	1462	-$400.00	$36,009.00	—DK
08/16	4	1428110	47055-011400	8521	$40.00 ···	$35,969.00	
08/16	7	1455862	47055-011400	8521	$40.00	$35,929.00	
08/16	8	78676641	62321.012300	7402	$300.00	$35,629.00	
08/16	8	1455862	47055-011400	8522	$100.00	$35,529.00	
08/16	100	10704274	ITI-425 (501170.20425)	1501	$1,400.00	$34,129.00	
08/16	101	10704274	ITI-425 (501170.20425)	8001	$30.00	$34,099.00	
08/16	458	09845415 ←	7056.001	1201	$1,200.00	$32,899.00	DUPE
08/16	459	09845415	7056.001	1251	$120.00	$32,779.00	
08/16	1184	78952958		7001	$975.00	$31,804.00	

DUPE *DUPLICATE*

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the USPTO Contact Center (UCC).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.*

Acknowledgement Receipt

The USPTO has received your submission at **16:37:42** Eastern Time on **15-AUG-2006** by Deposit Account: 501561.

$ **1320** fee paid by e-Filer via *RAM* with Confirmation Number: 216.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

eFiled Application Information

EFS ID	1155484
Application Number	09845415
Confirmation Number	2881
Title	Method, software program, and system for ranking relative risk of a plurality of transactions
First Named Inventor	Mel Gunewardena
Customer Number or Correspondence Address	32361
Filed By	Barry J. Schindler/Randi Flamenbaum
Attorney Docket Number	7056.001
Filing Date	30-APR-2001
Receipt Date	15-AUG-2006
Application Type	Utility

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
09845415.pdf	39		1511177 bytes	◆ PASS

Document Description	Page Start	Page End
Miscellaneous Incoming Letter	1	1
Extension of Time	2	2
Amendment - After Non-Final Rejection	3	26
Drawings	27	39

Submitted Files	Page Count	Document Description	File Size	Warnings
fee-info.pdf	2	Fee Worksheet (PTO-875)	8355 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Mel Gunewardena, Michael Pinedo & William R. Egan
SERIAL NO.: 09/845,415
FILING DATE: April 30, 2001
ATTNY. DOCKET: 06878.110700
TITLE: A METHOD, SOFTWARE PROGRAM, AND SYSTEM FOR
           RANKING RELATIVE RISK OF A PLURALITY OF
           TRANSACTIONS

ELECTRONIC MAIL CERTIFICATE

Date of Deposit: August 15, 2006

    I hereby certify that the following attached paper(s) and/or fee

(1)   Amendment (17 pages);

(2)   Petition for Extension of time 1 month with authorization to deduct $120.00 from deposit account 501561

(3)   Authorization to charge deposit account 501561-$1200.00 for excess Independent claim fee

    are being transmitted electronically to the United States Patent Office on the date indicated above.

<div align="right">

Respectfully submitted,
GREENBERG TRAURIG, LLP.

/randi flamenbaum/
Randi Flamenbaum
Patent Paralegal

</div>

Dated: August 15, 2006

CORRESPONDENCE:

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Fax: 212-801-6400

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless if displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (*Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)*.)	Docket Number (Optional) 06878.110700

Application Number 09/845,415	Filed April 30, 2001

For A METHOD, SOFTWARE PROGRAM, AND SYSTEM FOR RANKING RELATIVE RISK OF A PLURALITY OF TRANSACTIONS

Art Unit 3624	
	Examiner Thu Thao Havan

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	Small Entity Fee	
✓	One month (37 CFR 1.17(a)(1))	$120	$60	$ 120
	Two months (37 CFR 1.17(a)(2))	$450	$225	$
	Three months (37 CFR 1.17(a)(3))	$1020	$510	$
	Four months (37 CFR 1.17(a)(4))	$1590	$795	$
	Five months (37 CFR 1.17(a)(5))	$2160	$1080	$

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

✓ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number   501561   . I have enclosed a duplicate copy of this sheet.
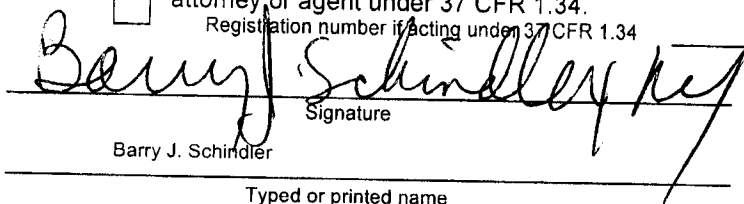
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the   ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
     Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

✓ attorney or agent of record. Registration Number 32,938

☐ attorney or agent under 37 CFR 1.34.
     Registration number if acting under 37 CFR 1.34

Signature	August 15, 2006
	Date
Barry J. Schindler	212-801-2244
Typed or printed name	Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mel Gunewardena	:	**Group Art Unit:** 3624
Serial No.: 09/845,415	:	**Examiner:** Thu Thao Havan
Filed: April 30, 2001	:	
		Attorney Docket No.: 06878.110700
For: A METHOD, SOFTWARE PROGRAM, AND SYSTEM FOR RANKING RELATIVE RISK OF A PLURALITY OF TRANSACTIONS	: :	

AMENDMENT IN RESPONSE TO APRIL 20, 2006 OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS:

This Amendment is filed in reply to the Office Action issued by the U.S. Patent and Trademark Office on April 20, 2006 in connection with the above-identified patent application. The April 20, 2006 Office Action provided a period of 3 months in which to file a response, i.e., by July 20, 2006. A petition for a one-month extension of time is being filed herewith. Accordingly, a reply to the April 20, 2006 Office Action is now due August 20, 2006 and this Amendment is being timely filed.

<u>AMENDMENTS TO THE CLAIMS</u>:

This listing of claims will replace all prior versions, and listings, of claims in the application.

<u>Listing Of Claims:</u>

1-4. (Cancelled)

5. (Currently Amended) ~~The~~ <u>A</u> method ~~of claim 4,~~ <u>for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:</u>

<u>assigning a value to each of the variables associated with each of the transactions;</u>

<u>aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and</u>

<u>ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;</u>

<u>wherein the step of assigning a value to each of the variables associated with each of the transactions further comprises assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the step of aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction;</u>

<u>wherein each value is normalized to a predetermined normalization range;</u>

<u>wherein the predetermined normalization range is between 0 to 1, inclusive; and</u>

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF= the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

6. (Original) The method of claim 5, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

7. (Original) The method of claim 6, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

8. (Original) The method of claim 6, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

9. (Original) The method of claim 6, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

10. (Currently Amended) ~~The~~ A method ~~of claim 2,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:

assigning a value to each of the variables associated with each of the transactions;

aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;

wherein the step of assigning a value to each of the variables associated with each of the

transactions further comprises assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the step of aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

wherein the step of aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises aggregating the normalized risk factor values using the formula:

$$AR = \sum_{j=1}^{m} w_t^j \bullet R_t^j$$

where AR= the aggregate risk level, w_t^j means the weights of the "j"th variable at time "t", and R_t^j means the normalized risk factor value of the "j"th variable at time "t".

11. (Currently Amended) The method of claim ~~1~~ 5, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

12. (Currently Amended) The method of claim ~~1~~ 5, wherein the transactions are ranked relative to one another in ascending order of aggregate risk level.

13. (Currently Amended) The method of claim ~~1~~ 5, wherein the risk is operational risk.

14-17. (Cancelled)

18. (Currently Amended) ~~The~~ A method ~~of claim 17,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:

assigning a value to each of the variables associated with each of the transactions;

aggregating the values assigned to each of the variables of each event of each transaction to

produce a by event aggregate risk level for each event of each transaction;

aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and

ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;

wherein the step of assigning a value to each of the variables associated with each of the transactions further comprises assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the step of aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

wherein each value is normalized to a predetermined normalization range;

wherein the predetermined normalization range is between 0 to 1, inclusive; and

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF = the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

19. (Original) The method of claim 18, wherein the operational tolerance associated with a given variable of a given event varies in dependence upon the given event of the transaction.

20. (Original) The method of claim 19, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

21. (Original) The method of claim 20, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

22. (Original) The method of claim 20, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

23. (Original) The method of claim 20, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

24. (Currently Amended) ~~The~~ A method ~~of claim 15,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:

assigning a value to each of the variables associated with each of the transactions;

aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and

ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;

wherein the step of assigning a value to each of the variables associated with each of the transactions further comprises assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the step of aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate

<u>risk level for each event of each transaction; and</u>

wherein the step of aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises aggregating the normalized risk factor values using the formula:

$$EAR = \sum_{j=1}^{m} w_t^{j;i} \bullet R_t^{j;i}$$

where EAR= the by event aggregate risk level, $w_t^{j;i}$ means the weights of the "j"th variable on the "i"th event at time "t", and $R_t^{j;i}$ means the normalized risk factor value of the "j"th variable on the "i"th event at time "t" and wherein the step of aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction further comprises aggregating the normalized risk factor values and the by event aggregate risk levels using the formula:

$$TAR = \sum_{i=1}^{n} \sum_{j=1}^{m} w_t^{j;i} \bullet R_t^{j;i}$$

where TAR= the transaction aggregate risk level, $w_t^{j;i}$ means the weights of the "j"th variable on the "i"th event at time "t", and $R_t^{j;i}$ means the normalized risk factor value of the "j"th variable on the "i"th event at time "t".

25. (Currently Amended) The method of claim ~~14~~ 18, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

26. (Currently Amended) The method of claim ~~14~~ 18, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

27. (Currently Amended) The method of claim ~~14~~ 18, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

28. (Currently Amended) The method of claim ~~14~~ 18, wherein the risk is operational risk.

29-32. (Cancelled)

33. (Currently Amended) ~~The~~ A software program ~~of claim 32,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction;

wherein each value is normalized to a predetermined normalization range;

wherein the predetermined normalization range is between 0 to 1, inclusive; and

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF= the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

34. (Original) The software program of claim 33, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

35. (Original) The software program of claim 34, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

36. (Original) The software program of claim 34, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

37. (Original) The software program of claim 34, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

38. (Currently Amended) ~~The~~ A software program ~~of claim 30,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the

variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

wherein the means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values using the formula:

$$AR = \sum_{j=1}^{m} w_t^j \bullet R_t^j$$

where AR= the aggregate risk level, w_t^j means the weights of the "j"th variable at time "t", and R_t^j means the normalized risk factor value of the "j"th variable at time "t".

39. (Currently Amended) The software program of claim ~~29~~ 33, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

40. (Currently Amended) The software program of claim ~~29~~ 33, wherein the transactions are ranked relative to one another in ascending order of aggregate risk level.

41. (Currently Amended) The software program of claim ~~29~~ 33, wherein the risk is operational risk.

42-45. (Cancelled)

46. (Currently Amended) ~~The~~ A software program ~~of claim 45,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:
means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

wherein each value is normalized to a predetermined normalization range;

wherein the predetermined normalization range is between 0 to 1, inclusive; and

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF= the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

47. (Original) The software program of claim 46, wherein the operational tolerance associated with a given variable of a given event varies in dependence upon the given event of the transaction.

48. (Original) The software program of claim 47, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative

value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

49. (Original) The software program of claim 48, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

50. (Original) The software program of claim 48, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

51. (Original) The software program of claim 48, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

52. (Currently Amended) ~~The~~ A software program ~~of claim 43,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:
        means for assigning a value to each of the variables associated with each of the transactions;
        means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;
        means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and
        means for ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;
        wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of

the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction; and

wherein the means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values using the formula:

$$EAR = \sum_{j=1}^{m} w_t^{j;i} \bullet R_t^{j;i}$$

where EAR= the by event aggregate risk level, $w_t^{j;i}$ means the weights of the "j"th variable on the "i"th event at time "t", and $R_t^{j;i}$ means the normalized risk factor value of the "j"th variable on the "i"th event at time "t" and wherein the means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values and the by event aggregate risk levels using the formula:

$$TAR = \sum_{i=1}^{n} \sum_{j=1}^{m} w_t^{j;i} \bullet R_t^{j;i}$$

where TAR= the transaction aggregate risk level, $w_t^{j;i}$ means the weights of the "j"th variable on the "i"th event at time "t", and $R_t^{j;i}$ means the normalized risk factor value of the "j"th variable on the "I"th event at time "t".

53. (Currently Amended) The software program of claim 42 46, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

54. (Currently Amended) The software program of claim 42 46, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

55. (Currently Amended) The software program of claim 42 46, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

56. (Currently Amended) The software program of claim 42 46, wherein the risk is operational risk.

57-60. (Cancelled)

61. (Currently Amended) The A system of claim 60, for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:

memory means for storing a software program;

and processing means for processing the software program;

wherein the software program includes:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction;

wherein each value is normalized to a predetermined normalization range;

wherein the predetermined normalization range is between 0 to 1, inclusive; and

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF= the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

62. (Original) The system of claim 61, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

63. (Original) The system of claim 62, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

64. (Original) The system of claim 62, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

65. (Original) The system of claim 62, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

66. (Currently Amended) ~~The~~ A system ~~of claim 58,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:

memory means for storing a software program;

and processing means for processing the software program;

wherein the software program includes:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction; and

wherein the means for aggregating the normalized risk factor values assigned to each of the variables on a transaction by transaction basis to produce an aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values using the formula:

$$AR = \sum_{j=1}^{m} w_t^j \bullet R_t^j$$

where AR= the aggregate risk level, w_t^j means the weights of the "j"th variable at time "t", and R_t^j means the normalized risk factor value of the "j"th variable at time "t".

67. (Currently Amended) The system of claim ~~57~~ 61, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

68. (Currently Amended) The system of claim ~~57~~ 61, wherein the transactions are ranked

relative to one another in ascending order of aggregate risk level.

69. (Currently Amended) The system of claim ~~57~~ 61, wherein the risk is operational risk.

70-73. (Cancelled)

74. (Currently Amended) ~~The~~ A system ~~of claim 73,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:

memory means for storing a software program;

and processing means for processing the software program;

wherein the software program includes:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

wherein each value is normalized to a predetermined normalization range;

wherein the predetermined normalization range is between 0 to 1, inclusive; and

wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula:

$$RF = \xi \bullet (e^{x/\beta} - 1)$$

where RF= the normalized risk factor value, ξ = 0.5819767069, e = 2.718182818, x = the raw value of the variable, and β = the operational tolerance of the variable.

75. (Original) The system of claim 74, wherein the operational tolerance associated with a given variable of a given event varies in dependence upon the given event of the transaction.

76. (Original) The system of claim 75, wherein each variable is selected from the group of quantitative variables and qualitative variables, wherein each variable which is a quantitative variable has associated therewith a raw value corresponding to an actual quantitative value, and wherein each variable which is a qualitative variable has associated therewith a raw value corresponding to a value selected from a predetermined qualitative value range.

77. (Original) The system of claim 76, wherein the predetermined qualitative value range is between 1 to 10, inclusive.

78. (Original) The system of claim 76, wherein each quantitative variable is selected from the group including: elapsed time, historical volatility, deviation from average volatility, mark-to-market, trader error ratio, sales error ratio, frequency of notional, outgoing confirm delay/elapsed time, time to settlement cutoff, and fail recovery time.

79. (Original) The system of claim 76, wherein each qualitative variable is selected from the group including: client sensitivity, execution method, client operating infrastructure, incoming confirm method, outgoing confirm method, internal credit rating, potential OD rates, payment instruction precedence, regulatory risk, master agreement (provisions for netting), country operating infrastructure, liquidity risk, template precedence, and product complexity.

80. (Currently Amended) ~~The~~ A system ~~of claim 71,~~ for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of events and each of the events has associated therewith at least one variable, comprising:

memory means for storing a software program;

and processing means for processing the software program;

wherein the software program includes:

means for assigning a value to each of the variables associated with each of the transactions;

means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction;

means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction; and

means for ranking each of the transactions relative to one another based upon the by transaction aggregate risk level corresponding to each transaction;

wherein the means for assigning a value to each of the variables associated with each of the transactions further comprises means for assigning a normalized risk factor value to each of the variables associated with each of the transactions based upon a raw value associated with each of the variables of each of the transactions and wherein the means for aggregating the values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction; and

wherein the means for aggregating the normalized risk factor values assigned to each of the variables of each event of each transaction to produce a by event aggregate risk level for each event of each transaction further comprises means for aggregating the normalized risk factor values using the formula:

$$EAR = \sum_{j=1}^{m} w_i^{j;i} \bullet R_i^{j;i}$$

where EAR= the by event aggregate risk level, $w_i^{j;i}$ means the weights of the "j"th variable on the

"i"th event at time "t", and $R_t^{j,i}$ means the normalized risk factor value of the "j"th variable on the "i"th event at time "t" and wherein the means for aggregating the by event aggregate risk levels of each transaction to produce a by transaction aggregate risk level for each transaction further comprises means for aggregating the normalized risk factor values and the by event aggregate risk levels using the formula:

$$TAR = \sum_{i=1}^{n} \sum_{j=1}^{m} w_t^{j,i} \bullet R_t^{j,i}$$

where TAR= the transaction aggregate risk level, $w_t^{j,i}$ means the weights of the "j"th variable on the "i"th event at time "t", and $R_t^{j,i}$ means the normalized risk factor value of the "j"th variable on the "I"th event at time "t".

81. (Currently Amended) The system of claim ~~70~~ 74, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

82. (Currently Amended) The system of claim ~~70~~ 74, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

83. (Currently Amended) The system of claim ~~70~~ 74, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

84. (Currently Amended) The system of claim ~~70~~ 74, wherein the risk is operational risk.

85. (New) The method of claim 10, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

86. (New) The method of claim 10, wherein the transactions are ranked relative to one another in ascending order of aggregate risk level.

87. (New) The method of claim 10, wherein the risk is operational risk.

88. (New) The method of claim 24, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

89. (New) The method of claim 24, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

90. (New) The method of claim 24, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

91. (New) The method of claim 24, wherein the risk is operational risk.

92. (New) The software program of claim 38, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

93. (New) The software program of claim 38, wherein the transactions are ranked relative to one another in ascending order of aggregate risk level.

94. (New) The software program of claim 38, wherein the risk is operational risk.

95. (New) The software program of claim 52, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

96. (New) The software program of claim 52, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

97. (New) The software program of claim 52, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

98. (New) The software program of claim 52, wherein the risk is operational risk.

99. (New) The system of claim 66, wherein the transactions are ranked relative to one another in descending order of aggregate risk level.

100. (New) The system of claim 66, wherein the transactions are ranked relative to one another in ascending order of aggregate risk level.

101. (New) The system of claim 66, wherein the risk is operational risk.

102. (New) The system of claim 80, wherein the transactions are ranked relative to one another in descending order of transaction aggregate risk level.

103. (New) The system of claim 80, wherein the transactions are ranked relative to one another in ascending order of transaction aggregate risk level.

104. (New) The system of claim 80, wherein each event of each transaction is selected from the group including: a) order match; b) broker verification; c) financial confirmation; d) settlement confirmation; and e) terms confirmation.

105. (New) The system of claim 80, wherein the risk is operational risk.

REMARKS:

Claims 5-13, 18-28, 33-41, 46-56, 61-69 and 74-105 are presented for examination. Claims 5, 10-13, 18, 24-28, 33, 38-41, 46, 52-56, 61, 66-69, 74 and 80-84 are amended hereby. Claims 85-105 are new. Claims 1-4, 14-17, 29-32, 42-45, 57-60 and 70-73 are cancelled hereby (without prejudice or disclaimer).

Initially, notice is respectfully taken of the Examiner's indication (made at page 2 of the April 20, 2006 Office Action) that claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74 and 80 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this regard, it is noted that claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74 and 80 have been so re-written in independent form. Thus, claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74 and 80 are now clearly in condition for allowance (of note, these are now the only pending independent claims in the application)

Further, it is noted that each of the pending dependent claims depends (directly or indirectly) from one of independent claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74 and 80. Thus, it is respectfully submitted that each of the pending dependent claims is likewise in condition for allowance.

With reference now to the Examiner's indication (made at page 2 of the April 20, 2006 Office Action) that corrected drawings are required, it is respectfully noted that such corrected drawings are attached.

Finally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

For example, support for amendment to claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74, and 80 may be found in the claims from which they had previously depended.

Further, support for new claims 85-105 may be found in claims 11-13, 25-28, 39-41, 53-56, 67-69, and 81-84, as filed; and throughout the specification.

Accordingly, it is respectfully submitted that each objection and rejection raised by the Examiner in the April 20, 2006 Office Action has been overcome and that the above-identified application is now in condition for allowance.

Respectfully submitted,
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Dated: August 15, 2006

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